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C O N F I D E N T I A L SECTION 01 OF 03 AMMAN 001737

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SUBJECT: HOW ISLAMISTS INFILTRATED JORDAN'S BAR ASSOCIATION  
REF: AMMAN 347

Classified By: Ambassador David Hale  
for reasons 1.4 (b) and (d).

¶1. (C) Summary: Jordan's Bar Association is controlled by the Jordanian Muslim Brotherhood (JMB), even though most of the country's lawyers are not Islamists. The JMB maintains its position in the Bar by exploiting the lack of political engagement on the part of pro-government lawyers and building a base of support among younger attorneys who are more likely to be Islamists. The Jordanian government would like to change this situation, but bureaucratic obstacles stand in the way. In the meantime, the JMB uses the platform of the Bar Association to try to further its political goals within Jordan. End Summary.

#### The JMB's Political Machine

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¶2. (C) The most visible parts of the Jordanian Muslim Brotherhood's political machine have always been its political arm, the Islamic Action Front (IAF), and its many charitable affiliates. Yet for several years, the JMB has also used its control of various professional organizations and unions in Jordan to add to its political weight. The associations of engineers, doctors, dentists, and other prominent professions in Jordan are all controlled by the JMB. When the IAF organizes protests and other popular appeals (such as a spate of anti-normalization marches, reftel), it often uses these satellite organizations as proxies who mobilize their membership to echo its political line during the inevitable fiery speeches. The Bar Association is a telling example of the JMB's use of political tactics, and its ability to fill political spaces that have been neglected or abandoned by pro-government elements.

#### Building the Base

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¶4. (C) Historically, the JMB had only token representation on the board of the Bar Association, which was dominated by nationalists. Former Interior Minister and prominent lawyer Rajai Dajani posits that in the 1990s, changes in the procedures for electing the board began to favor younger members who had the will and organizational strength to guide the elections in their direction. Before that time, the Bar would elect its board and chairman in one round, held early in the association's one-day annual meeting. Since the late 1990s, the Bar Association has elected its leadership in two rounds - a "primary" early on in the session, and then a decisive vote later in the evening. According to Dajani, the younger, more organized Islamists used the two-tier system to their advantage. "The nationalists would have a barbeque in the evenings, and the IAF members would be voting. We left the election to the younger lawyers. They are mostly Islamists," he said. Irbid lawyer Shawkat Obeidat told us that of the Bar Association's 7,500 members, only 3,000 bothered to vote in the last internal election.

15. (C) The changes in the Bar Association's voting structure led to the election of Saleh Al-Armuti, now a prominent proxy voice for the JMB. Armuti is now in the final year of his second (and final) term as the public face of lawyers in Jordan. He is a fixture at IAF-organized marches, sit-ins, and other political showcases.

#### Nurturing the Base

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16. (C) The JMB courts younger members of the Bar Association by helping them get their start. Islamist lawyers benefit from an informal system of referrals guided by the Bar Association's leadership. This helps younger lawyers build a list of clients and establish their credentials within Islamist circles. Fayyad Al-Qudah, a prominent lawyer and Vice Dean at the University of Jordan's law faculty, notes that the personal touch of the Islamists and their "provision of services" in the form of institutional support within the Bar Association and attention to the problems that younger lawyers can face when getting settled in the field eventually pay off when it comes to the election period. Former head of the High Court of Justice Faruq Kilani calls this system of favors "corrupt," but adds that Jordan's system of "wasta" ("connections") is deeply ingrained, and part of the way business is done in Jordan.

17. (C) While the JMB does not represent the current crop of lawyers in Jordan, demographics are on its side. As part of its campaign to broaden the responsiveness and capacity of the judiciary, the Ministry of Justice has greatly expanded the number of opportunities in the legal field in recent

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years. Both lawyers and judges tell us that the new cadre of legal professionals is on the whole less qualified (due to shorter training periods) and more likely to hold an Islamist political agenda. The establishment lawyers who were able to tip the balance in the past towards pro-government political positions are slowly retiring or dying off. Several of our contacts predict that the JMB will retain control over the Bar Association for some time to come due to its grassroots strength among younger members.

#### The Liberals - All Talk, No Action

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18. (C) There is clear agreement among the lawyers and judges we talked to that despite the Muslim Brotherhood's control over the Bar Association, the majority of rank and file lawyers in Jordan are not Islamists. Qudah juxtaposes the Bar with the Association of Engineers, which is dominated by Muslim Brotherhood members and hence is truly representative of its clientele. "I don't see (Islamist control of the Bar) as a commitment by the members to a political position," he says. Obeidat points out that most lawyers in Jordan are actually former judges and government officials who use the legal profession as a golden parachute of sorts. These people naturally gravitate towards a pro-government position that is opposite that of Jordan's Islamists.

19. (C) Qudah insists that most lawyers in Jordan have "leftist or pan-Arabist" sympathies, but that they fail to take an active interest in who represents them on a national stage. Beyond the procedural changes which favor Islamist candidates, Qudah also cites the absence of viable alternatives from the liberal mainstream that would generate interest in the election's outcome. "Prominent lawyers aren't running against them," he says, opening the field to candidates who may not represent the views of the membership, but are organized enough to win the votes of those who care. Obeidat agrees, saying that the retired government officials who move on to private legal practices are more interested in cashing in than guarding against infiltration by Islamists.

110. (C) Sa'ed Karajah, a lawyer who works with civil society

groups, has little sympathy for liberal lawyers who complain about Islamist control over the Bar Association but do little to counter their influence. "Surprise! It's your own fault," he admonishes. "Liberal lawyers like to talk a lot, but they do very little. Even when the whole government supports you, it won't change unless you vote." While Karajah is a strict secularist who vehemently disagrees with the Muslim Brotherhood's political stances, he admires the conviction and discipline of the Islamist lawyers that he has met. "It's about their engagement. They work for what they believe in. If they weren't there, I would call them - they are the only reason that other parties have to at least pretend to work." In contrast, Karajah says that liberal lawyers "have no product to sell" and "don't represent a good model."

¶11. (C) MP and lawyer Mahmoud Kharabsheh agrees that political cunning on the part of the Islamists is the key to its success in Bar Association elections. "They exploit all of their chances, and in the end there are no real competitors for them," he explains. Kharabsheh exemplifies the wishful thinking of many lawyers when he says that Armuti is "just a coordinator" who wields little clout among the lawyers he claims to represent. This may be true, but Armuti still appears to the Jordanian public as a credible voice who speaks on behalf of all lawyers in Jordan.

#### Turning Back the Tide

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¶12. (C) The Muslim Brotherhood's control over the Bar Association has not gone unnoticed by the government of Jordan. It is currently seeking to change the regulations that govern membership in the Bar Association. A draft regulation currently under consideration by the association's board would make membership in the Bar voluntary, rather than the compulsory obligation that it is today. According to the current professional associations law, however, the Bar Association must approve this change before it takes effect. While the regulation would in theory break the power of the Muslim Brotherhood over the legal profession in Jordan by allowing pro-government lawyers to split off into a separate association or resign in protest, Qudah predicts that the Bar will fail to ratify the government's proposal for another reason. He believes that lawyers are more concerned that a breakup of the Bar Association's monopoly would diminish the discipline and standards that the profession is currently able to maintain, especially in light of the recent influx of fresh blood. Even Qudah himself would rather allow the IAF to maintain control of the organization rather than risk a further blow to the professionalism of lawyers in Jordan.

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#### The Political Impact

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¶13. (C) The JMB's control over the Bar Association may seem inconsequential in the overall scheme of Jordanian politics - most Jordanians (and perhaps most lawyers) pay little attention to its boilerplate statements in solidarity with the people of Gaza and other causes. Several of our contacts note that the Bar's JMB-influenced political positions rarely influence policy changes directly. Yet there are troubling signs that the JMB leadership of the Bar Association is actively engaged in policy challenges on the margins.

¶14. (C) The Bar Association's Islamist leadership flexed its policy muscles in 2002 during a case that tangentially involved Jordan's normalization of relations with Israel. Shawkat Obeidat, an Irbid lawyer, was disbarred at Armuti's behest when he agreed to defend a normalizer. Armuti offered alternative cases to Obeidat, and promised to add him to the unofficial list of recommended lawyers for Islamist clients if he agreed to stop his work on the case. Obeidat refused, and as a consequence his license was revoked by the

Islamist-controlled Bar Association board.

¶16. (C) Islamist control of the Bar Association has touched upon our aid and exchange programs for Jordan's judiciary. An anti-American protest by lawyers on May 29 at the Palace of Justice caused a postponement of a completion ceremony for a USAID judicial reform project. Note: The GOJ remains strongly committed to Phase II of this program, and bent over backwards to ensure maximum attendance at and publicity for the rescheduled ceremony, which occurred at a different location on June 10. It is unclear if the initial protest was organized or spontaneous, but the JMB exploited it in the press. End Note. In another example, Qudah relayed that he was accused of attempting to "transplant American values" within the Bar Association when he advocated participation in a USG-sponsored exchange program for judges and lawyers. It was only through behind the scenes intervention by non-Islamist elements on the Bar Association's board that its members were officially allowed to participate on the program. Note: Qudah himself is an alumnus of the International Visitor Leadership Program. End Note.

¶17. (C) Perhaps a more shadowy consequence of Islamist control over the Bar is its use of the organization's money. The Bar Association instituted a kind of "intifada tax" on its members in the early 1990s, long before the JMB came to control the organization. The fee, which is automatically withheld as part of the compulsory dues for Bar Association members, is currently in the 20 - 30 JD range (28 - 42 USD) per month. It was traditionally used to support the material needs of Palestinians in the West Bank and Gaza through Jordanian charitable organizations. Since the JMB took control over the Bar, however, members have become concerned about where the money is going. The Bar's leadership has been questioned about which charities the money goes to, but has failed to respond in detail. Qudah worries, "they say that it's paid to charitable institutions in Palestine, but we know that the choice of charities is impacted by the leadership's political positions." Obeidat told us that the money used to support lawyers in the Palestinian territories, but now "there is no answer" to the question of where the money goes.

Comment

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¶18. (C) Professional associations are a natural space for Jordan's Islamists to expand their influence. In doing so, they have used the time-tested strategy of building networks through provision of services and patient cultivation of political support. What sets the Bar Association apart is that the Islamists have effectively infiltrated and then maintained control over an organization in which the majority of members are actively against their political views. They have been allowed to fill a vacuum that continues to exist even as Islamists use the Bar Association to promote their political objectives.

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